

€ TRAINING

Construction Contract Planning and Claims
Counter





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Introduction:

Effective construction contracts form the foundation for successful projects. This 5-day training course delves into the intricacies of construction contract planning and claims preparation. Participants will gain a comprehensive understanding of contract types, clauses, risk mitigation strategies, and the essential elements of crafting compelling claims. Whether you're an owner, contractor, engineer, or legal professional, this program will equip you with the knowledge and skills to navigate the contractual landscape of construction projects.

Program Objectives:

At the end of this program, the participants will be able to:

- Gain a thorough understanding of various construction contract types and their implications.
- Master the art of drafting clear, concise, and risk-mitigating contract clauses.
- Develop proficiency in identifying and documenting potential contractual breaches.
- Learn the essential elements of preparing and presenting effective construction claims.
- Acquire negotiation and dispute-resolution skills for achieving optimal project outcomes.

Targeted Audience:

- Construction project managers and owners
- Contractors and subcontractors
- Construction engineers and architects
- Contract administrators and legal professionals
- Anyone involved in drafting, managing, or resolving construction contracts and claims

Program Outlines:

Unit 1:

Drafting Effective Contract Clauses

- **Scope of Work:** Defining project scope, responsibilities, and deliverables
- **Schedule and Time Extensions:** Establishing project timelines and addressing delays

- **Payment Terms and Conditions:** Contractual payment procedures, milestones, and retention clauses
- **Quality Control and Inspection:** Establishing quality standards, inspection procedures, and non-conformance management
- **Warranties and Guarantees:** Defining warranties, liability for defects, and performance guarantees

Unit 2:

Demystifying Construction Contracts

- **Types of Construction Contracts:** Lump sum, unit price, cost-plus, design-build, and their applications
- **Contract Clauses and Risk Allocation:** General conditions, specific conditions, risk identification, and mitigation strategies
- **Contract Administration and Change Management:** Implementing contract provisions, managing change orders, and claim prevention
- **Dispute Resolution Mechanisms:** Negotiation, mediation, arbitration, and litigation procedures
- **Contract Documentation and Recordkeeping:** Maintaining clear and comprehensive project documentation

Unit 3:

Identifying and Documenting Contractual Breaches

- **Types of Contractual Breaches:** Delays, change orders, defective work, and non-payment
- **Impact Analysis and Causation:** Assessing the impact of breaches on project costs and schedules
- **Contractual Notice Requirements:** Timely notification of claims according to contract provisions
- **Evidence Gathering and Documentation:** Collecting and preserving relevant documents and records
- **Contract Interpretation and Legal Principles:** Understanding contract terms and their legal implications

Unit 4:

Building a Strong Construction Claim

- **The Essentials of a Construction Claim:** Elements of a well-supported claim document
- **Quantification of Damages:** Calculating project delays, cost overruns, and lost productivity
- **Claim Presentation and Supporting Documentation:** Organizing and presenting claim arguments with relevant evidence
- **Negotiation Strategies and Claim Resolution:** Effective negotiation techniques and strategies for achieving

desired outcomes

- **Alternative Dispute Resolution ADR Techniques:** Utilizing mediation and arbitration for efficient claim resolution

Unit 5:

Advanced Topics and Case Studies

- **Claims Prevention and Proactive Management:** Strategies for minimizing potential claims during project execution.
- **Construction Contract Law Updates:** Recent legal precedents and their impact on contract interpretation and claims.
- **Contract Management Software and Technologies:** Utilizing software tools for efficient contract administration and claims management.
- **Construction Claims Case Studies:** Analyzing real-world claims scenarios and successful resolution tactics.
- **Course Wrap-up, Q&A Session, and Certificate of Completion.**